



புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry The Gazette of Puducherry

PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

விலை : ₹ 15-00

Prix : ₹ 15-00

Price : ₹ 15-00

எண்	புதுச்சேரி	செவ்வாய்க்கிழமை	2011 ஆ	சனவரி மீ	25 ௨
No. } 6	Poudouchéry	Mardi	25	Janvier	2011 (5 Magha 1932)
No. }	Puducherry	Tuesday	25th	January	2011

GOVERNMENT OF PUDUCHERRY

LABOUR DEPARTMENT

(G.O. Ms. No. 1/Lab./COE-PPP/SIC/2011, dated 7th January 2011)

NOTIFICATION

The Lieutenant-Governor of Puducherry is pleased to establish "Institute Management Committee of Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam in the Union territory of Puducherry" as a society.

2. The Society shall be registered under the Societies Registration Act, 1860.

3. The Memorandum of Association along with the Rules and Regulations of the Institute Management Committee of Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam, in the Union territory of Puducherry as a Society are appended to this notification.

4. This issues with the concurrence of the Finance Department *vide* their I.D. Note No. 37550/F3/2010, dated 11th June 2010.

(By order of the Lieutenant-Governor)

G. MALAR KANNAN,

Joint Secretary to Government (Labour).

**MEMORANDUM OF ASSOCIATION OF THE
“INSTITUTE MANAGEMENT COMMITTEE OF NETHAJI SUBASH
CHANDRA BOSE GOVERNMENT INDUSTRIAL TRAINING INSTITUTE,
YANAM, IN THE UNION TERRITORY OF PUDUCHERRY”**

1. *Name of the Society.*— The name of the Society shall be “Institute Management Committee of Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam in the Union territory of Puducherry”.

2. *Registered office of the Society.*— The registered office of the Society shall be situated at Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam.

3. *Aims and objectives.*—

A. Aims of the Society :

(i) The main aim of the Society is to assist in improvement of standard of vocational training skill development in the country as a whole.

(ii) The Society has been formed with the specific aim of upgradation of the Industrial Training (ITI) Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam into a centre of excellence in such a way that the training provided in the ITI is improved and becomes demand driven leading to better employability of the passing out graduates.

(iii) In general the Society shall function ‘on no profit-no loss’ principle. However its affairs shall be managed in such a way that it becomes self-supporting in due course and is able to meet all its expenses and liabilities on its own.

B. The main objects to be pursued by the Society are :

(i) To manage the affairs of the Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam according to the terms and conditions set out in a Memorandum of Agreement to be signed among the Central Government, the Government of Puducherry and the Industry Partner. The representative of the Industry Partner shall sign this Memorandum of Agreement on behalf of the society also as its Chairman.

(ii) To develop an Institute Development Plan (IDP) for the ITI Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam. The IDP shall, *inter alia*, define long-term goals of the institute, the issues and challenges facing the institute and the strategies for dealing with them. It shall set targets for institutional improvement, key performance indicators, and detail the infrastructural and financial requirement with year-wise break up to meet the needs.

(iii) To assess emerging skill requirements in the region and suggest changes in the training courses being run in the ITI.

(iv) To obtain short-term, medium term and long-term requirement of skilled work force and take steps to produce graduates in the ITI accordingly.

(v) To identify short-term training courses, which can be offered in the ITI, develop infrastructure for the same, organise and run the courses and charge suitable fees for the same.

(vi) To review training needs of instructors and administrative/office staff of the ITI and arrange for their training programme.

(vii) To plan and establish such production/service centres in the ITI which help the trainees develop/learn their skills and also generate funds for the Society to be used in the task of upgradation.

(viii) To adopt innovative measures like providing consultancy/ advisory services to the industry so as to generate revenue which can be utilised for development of training activities in the ITI.

(ix) To appoint contract faculty as per need and as per rules and regulations of the Society.

(x) To assess the requirement of funds for the ITI and make recommendations to the Government of Puducherry on the funds provided by it to the ITI out of its Annual Budget.

(xi) To make expenditure out of the funds of the Society, including interest free loan received from the Central Government under the Scheme 'Upgradation of 1396 Government ITIs through Public Private Partnership', as per the prescribed terms and conditions.

(xii) To set up Placement Cell in the ITI to guide/help the graduates in employment/self-employment.

(xiii) To network, interact, establish and maintain working relations with other institutes within and outside Vocational Training System and participate in related activities so as to increase awareness in trainees and trainers in the area of vocational training.

(xiv) To network and interact with local industry chambers, other industry associations, employment exchanges, lead banks, other Government departments and undertake measures, like job fairs, so as to increase the employability of ITI graduates.

(xv) To undertake measures to achieve target Key Performance Indicators set out in the Tripartite Memorandum of Agreement as referred in the para (i) above.

(xvi) To organise skill competitions in the ITI, take part in other skill competitions including State/National/World Skill competitions.

(xvii) To undertake publicity and other measures, like organising seminars in schools for potential candidates for ITIs, to increase awareness about vocational training and also to create a better image of vocational training courses.

(xviii) To promote measures so as to increase the capacity of ITI by organising second and third shifts, in the ITI.

(xix) To determine admissions in the ITI to the extent provided in the Memorandum of Agreement referred to in para (i) above.

C. The objects incidental or ancillary to attainment of main objects of the society:

(i) To make provision in the ITI, so that any of the services as mentioned in the main objects may be rendered.

(ii) To set up suitable mechanism for getting information on long-term, medium term and short-term skill requirement in the region and provide the same to the Government of Puducherry and Central Government.

(iii) To institute and award prizes, medal and fellowships, in accordance with the rules and regulations of the Society.

(iv) To award certificates to those having successfully completed their respective training courses other than courses under NCVT and SCVT.

(v) To maintain a fund to which the funds provided by Central Government/ Government of Puducherry and any other amount received in the form of aids, grants and gifts, donations, benefactions, bequeath or transfers, fees, charges etc. will be credited in accordance with the rules and regulations of the Society.

(vi) To ensure implementation of various activities of the scheme referred in para 3B(xi) in time bound manner so as to adhere to the time schedule agreed in the IDP.

(vii) To monitor the progress of implementation of the above scheme at the institute level and furnish periodical reports to the authorities as per the decided schedule.

(viii) To set up suitable mechanism to obtain regular feedback from trainees and industry about quality of training and using the feedback for improvement in the training delivery.

(ix) To develop suitable sustainable mechanism to trace the careers of the graduates for at least three years after passing out.

(x) To advise the Government of Puducherry to create administrative, technical, ministerial and other posts in accordance with the agreed Institute Development Plan.

(xi) To arrange and provide sufficient amount as corpus fund so that the Society may proceed for achieving its aims and objects confidently.

(xii) To solicit, receive and accept funds, aids, grants, services and contributions in kind from individuals, companies, foundations, Governmental departments and agencies, other agencies and sources and in accordance with the rules and regulations of the Society, in furtherance of the aims and objects of the Society, subject to the applicable laws.

(xiii) To acquire, purchase, hire take on lease, exchange, construct or acquire in any other manner property movable or immovable which may be necessary or convenient for the objects of the Society with the approval of the Government of Puducherry.

(xiv) To borrow and raise monies on mortgages, promissory notes or other securities founded or based upon all or any of the properties and assets of the Society or without any securities provided that prior approval in writing of the State Government of Puducherry is obtained in that behalf.

(xv) To open and operate bank accounts in Public Sector Bank, draw, accept, endorse, discount and negotiate cheques, bills of exchange, promissory notes and other negotiable instruments.

(xvi) To invest funds of the Society in such manner, as proposed by the Society and in accordance with its rules and regulations.

(xvii) To create depreciation fund, sinking fund, insurance fund, whether for depreciation or for repairing, improving, replacing, renewing, financing, extending, or maintaining any of the properties of the Society or for any other purpose whatsoever deemed beneficial to the Society and as per rules and regulations of the Society.

(xviii) To pay all expenses preliminary or incidental to formation and registration of the Society and for its management and administration out of its fund.

(xix) To pay out of the funds of the Society or out of any particular part of such funds all expenses for carrying out any of the objects of the Society including payments of salaries and payments to persons employed or hired, if any.

(xx) To impose and recover fees and charges for the services rendered by the Society.

(xxi) To meet expenses of the Society out of its funds to buy materials/ stores that may be required to maintain the services of the Society as mentioned in the main objects as well as building and equipment belonging to the Society.

(xxii) To negotiate and enter into contracts on behalf of the Society and vary or rescind such contracts and sign, execute and deliver such contracts, deeds and instruments as may be necessary.

(xxiii) To constitute such committee or committees as it may deem fit for the disposal of any business of the Society and tendering advice in any matter pertaining to the Society.

(xxiv) To delegate any of its powers to the Governing Council of the Society or any of the committee or committees constituted by it.

(xxv) To promote, support, take-over, affiliate, amalgamate or merge with any other institution or body having objects wholly or in part similar to those of the Society, with the prior approval of the Government of Puducherry.

(xxvi) To make rules and regulations and bye-laws for the conduct of the affairs of the Society and to add, amend, vary or rescind them from time to time.

(xxvii) To print, publish, distribute reports, studies and brochures and other publications pertaining to the activities of the Society.

(xxviii) To promote or associate with any other person, authority or body whether incorporated or otherwise for attainment of the objects herein stated and on that behalf also to invest funds of the Society.

(xxix) To subscribe money for any national, charitable and benevolent object useful for general public or for any exhibition or to any institution, club, Society or fund, but not intended for any political party or class with prior approval of the Government of Puducherry.

(xxx) To institute, conduct, deferred or compromise legal proceedings by or against the Society or its officers or employees in respect of any matters affecting the Society directly or indirectly.

(xxxi) To do all such other lawful things as are conducive or incidental to the attainment of any or all of the above objects and for furthering the purposes and growth of the Society or its resources.

4. *Income and property of the Society.*— The income and property of the Society, howsoever derived, shall be applied towards the promotion of the aims and objects thereof as set forth in this Memorandum of Association. No portion of the income and property of the society shall be paid or transferred as dividends, bonus or by way of profits or otherwise, to any person who at any time are or have been members of the Society or to any one claiming through them, provided that nothing herein contained shall prevent the payment in good faith of honoraria, perquisites, facilities of any nature to the officers and employees as the Governing Council thinks fit in return of any services rendered to the Society.

5. *Governing Council.*— The Governing Council of the Society shall be the Council constituted in accordance with the Rules and Regulations of the Society. The names, addresses, occupations and designations of the members of the first Governing Council to which the management of the Society shall be entrusted as required under the Act are furnished in Annexure-I.

RULES AND REGULATIONS OF THE SOCIETY
“INSTITUTE MANAGEMENT COMMITTEE OF NETHAJI SUBASH
CHANDRA BOSE, GOVERNMENT INDUSTRIAL TRAINING INSTITUTE,
YANAM IN THE UNION TERRITORY OF PUDUCHERRY”

1. The Society shall be known as “Institute Management Committee of Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam in the Union territory of Puducherry.

2. The address of the registered office of the Society shall Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam.

3. The Society was formed on.....

4. The Society is within the jurisdiction of the Registrar, Union territory of Puducherry.

5. The business hours of the Society shall be between 9.00 a.m. and 5.30 p.m. on all working days except Sundays and Government holidays.

6. These rules may be called “IMC of Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam.”

7. The aims and main objects of the Society shall be as set out in the Memorandum of Association.

8. In these Rules and Regulations, the language shall be interpreted according to its ordinary meaning provided, however, that unless the context necessarily indicates otherwise.

9. *Definitions.*— For the purpose of these Rules and the Memorandum of Association of the Society;—

(i) “Rule” means any of the rules, regulations and bye-laws of the Society, set out herein or in Memorandum of Association;

(ii) ‘Society’ means the “IMC of Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam, Union Territory of Puducherry” as registered under Societies Registration Act, 1860 (Central Act 21 of 1860);

(iii) ‘Act’ means the Societies Registration Act, 1860;

(iv) ‘Governing Council’ means Committee in terms of the Act to which the management of the affairs of the society “IMC of Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam” shall be entrusted;

(v) ‘General Body’ of the Society shall mean the body consisting of the members of the Governing Council together with other categories of members mentioned hereinafter;

(vi) ‘Chairman’ means the Chairman of the Governing Council who shall also be the *ex officio* President of the Society;

(vii) ‘Vice-Chairman’ means the Vice-Chairman of the Governing Council who shall also be the *ex officio* Vice-President of the Society;

(viii) ‘President’ means President of the Society whose functions and powers shall be exercised by the Chairman of the Governing Council;

(ix) Secretary means the Principal of the Industrial Training Institute (ITI) who shall also discharge the duties and responsibilities of the Secretary of the Society and the Governing Council and as such shall be referred to as Secretary hereinafter in the relevant context;

(x) ‘Central Government’ means Government of India and ‘Government’ means the Administrator of Union territory of Puducherry appointed by the President under article 239 of the constitution;

(xi) ‘Industry Partner’ means the industry organisation selected by the State Government for associating with the task of upgradation of Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam in the Union territory of Puducherry, under the Central Government Scheme “Upgradation of 1396 Government ITIs through public private partnership”;

(xii) ‘ITI’ means the Nethaji Subash Chandra Bose, Government Industrial Training Institute, Yanam in the Union territory of Puducherry;

(xiii) ‘Annual General Meeting’ means the meeting of the members of the Society held once in a year within six months after closing of the financial year of the Society for adopting the accounts of the Society, appointing auditors and discussing such other issues as may be brought before the meeting;

(xiv) ‘Registrar’ means the Registrar of Companies in terms of section 1 of the Act as amended by Puducherry Act of 1969 having jurisdiction over the Union territory of Puducherry;

(xv) 'Special Resolution' means resolution passed by a majority of not less than three-fourth of Society members present and entitled to vote as are present in person or by proxy at a General Body meeting with a notice of not less than days specifying the intention to propose the resolution has been duly given;

(xvi) 'NSC' means 'National Steering Committee', an Apex body for guiding the implementation and monitoring of the Central Government Scheme "Upgradation of 1396 Government ITIs through public private partnership", as defined in Memorandum of Agreement to be signed among Central Government, Government of Puducherry and Industry Partner;

(xvii) 'SSC' means 'State Steering Committee' a body at State level for guiding the implementation and monitoring of the Central Government Scheme "Upgradation of 1396 Government ITIs through public private partnership", as defined in Memorandum of Agreement to be signed among Central Government, State Government and Industry Partner.

General Body of the Society

10. The General Body of the Society shall be composed of members of the Governing Council together with such persons, from public and private bodies and individuals of ability or experience, subscribing to the aims and objects of the Society as may be nominated by the Governing Council and approved by the State Government, provided, however, that it will also be open for the State Government to nominate any individual as a member of the Society.

11. The Society shall keep a roll of members with their addresses and occupations and every member shall sign the same.

12. If a member of the Society changes his address, he shall notify his new address to the Secretary and the entry in the roll shall be changed accordingly. If such member fails to notify his address, the address in the rolls of the Society shall be deemed to be his address.

13. Should any *ex officio* or institutional member of the Society be unable to attend or prevented from attending a meeting of the Society, the respective parent organisation shall be at liberty to appoint a substitute in his place for that meeting of the Society. Such a substitute shall have all the rights and privileges of a member of the Society for that meeting.

14. (a) When a person is appointed as a member of the Society by reason of the office of appointment he holds, his membership of the Society shall terminate when he ceases to hold that office or appointment. The respective parent organisation shall, however, be entitled to remove their nominee at any time from membership of the Society and appoint others in his place.

(b) Member of the Society shall hold the office for such a period not more than three years or as may be prescribed by the Society at the time of their appointment or at any time thereafter.

(c) The Society may, notwithstanding anything contained in sub-rule (b) above, terminate the membership of any member or at one and the same time the membership of all members. Upon such termination, the vacancies shall be filled in accordance with the relevant provisions of these rule. The members whose membership is so terminated, shall be eligible for reappointment.

15. A member of the Society shall lose his/her membership on the following grounds and reasons and the Governing Council is empowered to take such decisions:—

(i) If he/she does not attend three consecutive meetings of the Society without sufficient cause or leave of absence granted to him/her by the Chairman;

(ii) If he/she dies, resigns, becomes of unsound mind or insolvent and is convicted of a criminal offence involving moral turpitude;

(iii) If the tenure of his/her respective office as prescribed in these Rules and Regulations terminates; and

(iv) If he/she is a hindrance in the achievements of the aims and objects of the Society.

16. The resignation of a member shall be tendered to the Society through the Secretary and shall not be effective till it has been accepted in writing by the Chairman of the Governing Council on behalf of the Society.

17. (a) A vacancy in the membership caused by any of the reasons mentioned in rule 15 may be filled up by the Society.

(b) The members whose membership is terminated for the reason as mentioned in rule 15 (iii) shall be eligible for reappointment.

Meetings of the Society

18. There shall be two meetings of the Society, namely:—

(i) Annual General Meeting.

(ii) Extraordinary General Meeting.

19. (a) The Annual General Meeting of the Society shall be held not later than six months after the expiry of each financial year at such date and time and place as may be determined by the President in consultation with the Governing Council.

(b) The business of the Annual General Meeting shall be:—

(i) To receive and adopt the audited statements of accounts prepared for the preceding financial year and the annual report of the Society;

(ii) To consider the budget estimates and the action plan of the Society for the next financial year prepared by the Secretary and approved by the Governing Council, and to adopt the same;

(iii) To appoint auditors of the Society; and

(iv) To transact such other business which may be brought before the meeting by the Governing Council.

20. The President can at any time summon an extraordinary general meeting of the Society, if considered necessary for transacting business of important nature or if so requisitioned by not less than five members of the Society by request in writing and specifying the reasons for the requisition within one month from the date of request of requisition.

21. Except as otherwise provided in these Rules and Regulations, all meetings of the Society shall be called by notice under the hand of the Secretary who shall act in accordance with the directions of the Chairman in this regard.

22. (a) Every notice calling for meetings of the Society under rule 18 shall state the date, time and place at which such meeting will be held and be served upon every member of the Society by giving not less than 10 clear days before the day appointed for the meeting.

(b) The accidental omission to give or non-receipt of such notice by any member shall not invalidate the proceedings of any such meeting.

(c) A notice may be served upon any member of the Society either personally or by sending it by post in an envelope addressed to such member at his address as mentioned in the roll of members.

(d) Any notice so served by post shall be deemed to have been served on 4th day following that on which the envelope containing the same was posted and proved that the envelope containing such notice was properly addressed and duly posted.

23. Every meeting of the Society shall be presided over by the President/ Vice-President and in their absence, by a member chosen to preside over that particular meeting.

24. One-third of the total members of the Society present in person shall form a quorum at every meeting of the Society. Where the quorum is not present within half-an-hour after the time fixed for the meeting of Governing Council, the meeting shall stand adjourned and may be held at the same place after half-an-hour following the adjournment. No quorum shall be necessary for such adjourned meeting.

25. Subject to the provisions contained in these rules, all disputed questions at the meeting of the Society shall be determined by majority of votes.

26. (a) Each member of the Society shall have one vote.

(b) In case of equality of votes for and against a particular issue, the Chairman shall have a casting vote.

27. (a) The Society shall cause minutes of all proceedings of its annual general meetings, and of its extraordinary general meetings to be entered in a minute book kept for the purpose.

(b) Any such minutes, if purporting to be signed by the Chairman of the meeting at which the proceedings were held or by the Chairman of the next succeeding meeting, shall be evidence of the proceedings.

(c) The minutes book shall be kept at the Registered Office of the Society and shall during business hours be open to inspection of any member free of charge.

28. (a) In respect of the following business of the Society a special resolution as defined in clause 9 (xv) of these rules would be required to be passed:

(i) Amendment of the Memorandum of Association and Rules and Regulations;

(ii) Change in the name of the Society, subject to approval of the Registrar;

(iii) Amalgamation and division of the Society;

(iv) Manner of distribution of any property left undistributed on dissolution of the Society.

(b) A copy of the special resolution shall be filed with the Registrar within 10 days from the date of passing of such resolution signed by the Secretary of the Society.

Governing Council

29. (a) The affairs of the Society shall be administered, directed and controlled by a Governing Council in accordance with its Rules and Regulations.

(b) The members of the Governing Council shall become *ipso facto* members of the Society on their admission.

(c) The members of the Governing Council shall not be less than 11 and more than 15.

Composition of the Governing Council and tenure of office

30. The Governing Council of the Society shall have the following members:

- (i) A representative nominated by the Industry Partner as the Chairman.
- (ii) Four other members from local industries nominated by the Industry Partner, one of whom to be nominated as the Vice-Chairman.
- (iii) Five representatives nominated by the State Government.
- (iv) The Principal of the ITI, as the *ex officio* Member-Secretary

31. The tenure of the Governing Council shall be for a period of not more than three years, and the outgoing members shall be eligible for reappointment.

32. The *ex officio* and nominated members of the Governing Council shall hold their office by virtue of being the nominees on behalf of their respective parent organisations. Their membership of the Governing Council shall automatically terminate in case they cease to be in that office or appointment by reason of which they hold membership in the Society or if they are removed by their respective nominating organisation from membership of the Society. The respective nominating organisation shall have power to nominate others as their representative instead of the previous ones.

33. (a) The members of the Governing Council, except the *ex officio* members, shall lose his/her membership on the following grounds and the Governing Council is empowered to take such decision:

- (i) if they do not attend three consecutive meetings of the Governing Council without sufficient cause or leave of absence granted to them by the Chairman;
- (ii) if they resign, become of unsound mind or insolvent and are convicted of a criminal offence involving moral turpitude;
- (iii) if in the opinion of the 'IMC of Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam' continued association of any member is not conducive to the interest of the Society and an order in writing is made to that effect.

(b) Upon such termination of membership, the vacancies shall be filled in accordance with the relevant Rules and Regulations of the Society.

34. The resignation of a member of the Governing Council shall be tendered to the Secretary and shall not be effective till it has been accepted in writing by the Chairman of the Governing Council on behalf of the Society.

Powers, functions and responsibilities of the Governing Council

35. With a view to attaining the aims and objects of the Society, the Governing Council shall discharge such duties and responsibilities, exercise such powers and undertake to carry out such activities as are considered essential in general and with particular reference to the following:-

(i) To prepare and execute plans and programmes and to carry on the administration and management of the Society;

(ii) To receive grants and contributions and to have custody of the funds of the Society;

(iii) To prepare the budget estimates of the Society each year and sanction expenditure within the limits of the budget approved by the Society at the Annual General Meeting;

(iv) To prepare and maintain accounts and other relevant records and annual statements of accounts including the balance sheet of the Society;

(v) To fix, levy and receive such fees and other charges for service rendered by the Society;

(vi) To make, inform, adopt, amend, vary or rescind from time to time rules and bye-laws with the approval of General Body of the Society for regulation of any purpose connected with the management and administration of affairs of the Society and for the furtherance of its aims and objectives;

(vii) To perform such additional functions and carry out such duties as may from time to time be assigned to it by the Society;

(viii) To establish procedure in respect of services and technical advice to be rendered by the Society and the levy and collection of charges for the same;

(ix) To institute and award scholarship, prizes and medals;

(x) To recommend to the State Government;

(a) For creation of post and other infrastructure for the ITI as per IDP;

(b) For filling up of the posts;

(xi) To co-operate with any other organisation in the matters of education, training management and allied subjects;

(xii) To enter into arrangements for and on behalf of the Society;

(xiii) To sue and defend all legal proceedings on behalf of the Society;

(xiv) To appoint committee or committees for disposal of any business of the Society or for advice in any matter pertaining to the Society;

(xv) Subject to sub-rule (xvii), to delegate to such extent it may deem necessary any of its powers to any officer or committee of Governing Council;

(xvi) To consider and pass such resolution on the annual report, the annual accounts and the financial estimates of the Society as it thinks fit;

(xvii) To delegate to such extent it may deem necessary any of its powers to any officer or committee of the Governing Council;

(xviii) To delegate powers as it may consider appropriate but not the powers for;

(a) altering, extending or abridging the aims and objects of the Society;

(b) amalgamating either wholly or partially with any other Society having same or similar aims and objects;

(c) altering, extending or abridging the Rules and Regulations;

(d) making capital investment exceeding the approved budget;

(e) borrowing money except for working capital exceeding the approved budget;

(f) transferring by way of mortgage, pledge, hypothecation or otherwise any assets, movable or immovable, except as security for working capital;

(g) appointing bankers and auditors and;

(h) generally anything extraordinary and of major importance.

(xix) To determine admissions in the ITI to the extent provided in the Memorandum of Agreement referred to in para 3B(i) of Memorandum of Association of the Society.

36. The Governing Council shall abide by any instructions issued by the Central Government in respect of any matter related to upgradation of the ITI.

37. (a) In the event of any matter not being provided for herein, the Governing Council shall have the power to make bye-laws, as it deems necessary, with the approval of General Body of the Society.

(b) The Governing Council shall be the sole authority for resolving any doubts as to the interpretation of these provisions and its ruling shall be final and binding.

38. Subject to the provisions of the Act, no member of the Governing Council shall be held personally liable for any loss, damage or harm that may be caused by reason of any act or omission done by him in good faith, in course of discharging his functions and powers.

39. No member of the Governing Council shall in that capacity be entitled to receive remuneration except travelling allowance for attending the meeting the quantum for which shall be fixed from time to time by the Governing Council with the approval of the Society.

Meetings of the Governing Council

40. The meetings of the Governing Council shall be held as frequently as is considered necessary by the Chairman but in any case not less than one meeting every three months for considering the progress of the Society, solving problems, if any, that may arise in the way of achieving the desired aims and objects as mentioned in the Memorandum of Association of the Society and planning future course of action. However, during the first one year of the formation of the Society when the process of upgradation of the ITI is underway the Governing Council is expected to meet once every month.

41. The agenda for all meetings including confirmation of the minutes of the preceding meeting shall be prepared by the Secretary in consultation with Chairman of the Society.

42. (a) Members of the Governing Council shall be served notice in writing by giving notification to clear days before the date of all the meetings. The Chairman shall have powers to reduce the notice period if the circumstances so warrant.

(b) The notice of the meeting shall set out the date, time and venue of the proposed meeting of the Governing Council and shall be accompanied by the agenda of the meeting.

(c) Any accidental omission and /or non-receipt of the notice for any meeting shall not itself invalidate the proceedings of any meeting of the Governing Council.

43. The Governing Council may frame such bye-laws as it may deem necessary for holding and conduct of its meetings.

44. (a) The Chairman shall preside over all the meetings of the Governing Council.

(b) If the Chairman is unable to attend a meeting of the Governing Council, the Vice-Chairman will preside over the meeting.

(c) If there is no Chairman / Vice-Chairman or the Chairman/ Vice-Chairman is not present within half-an-hour of the time appointed for the meeting, the members present shall choose one of themselves to function as acting Chairman of that meeting.

45. (a) All questions in the meeting of the Governing Council where unanimity cannot be reached, shall be decided by a majority of votes.

(b) In case of equality of votes for and against a particular issue, the Chairman shall have a casting vote in addition to his ordinary vote.

46. (a) The quorum for all the meetings of the Governing Council shall be one-third of the total number of its members.

(b) Where the quorum is not present within half-an-hour after the time fixed for the meeting of Governing Council, the meeting shall stand adjourned and may be held at the same place after half-an-hour following the adjournment. No quorum shall be necessary for such adjourned meeting.

47. The Chairman of the Governing Council may himself call or by resolution in writing signed by him require the Secretary to call a meeting of the Governing Council at any time.

Authorities of the Society

48. The following shall be the authorities of the Society:

(i) The Chairman of the Governing Council, who shall also be *ex officio* President of the Society.

(ii) The Vice-Chairman of the Governing Council, who shall also be the *ex officio* Vice-President of the Society.

(iii) The Governing Council.

(iv) The Secretary of the Society who shall also be the *ex officio* Secretary of the Society and the Governing Council.

(v) Such other authorities as may be constituted as such by the Governing Council.

49. The Governing Council shall have powers to appoint financial and other committees/sub-committees for carrying out the objects of the Society, and by resolution delegate to the committees or sub-committee(s) so constituted such of its powers for conduct of business as it may deem necessary.

The Chairman

50. The Chairman of the Governing Council shall be nominated by the Industry Partner.

51. The Chairman shall have the following powers, functions and responsibilities:—

(a) The Chairman shall provide vision to the Society and lead the IMC for upgradation of the ITI.

(b) The Chairman may direct the Secretary to call a special meeting at a short notice in case of emergency.

(c) The Chairman shall see that the affairs of the Society are run efficiently in accordance with the provisions of the Memorandum of Association, Rules and Regulations and bye-laws of the Society as may be framed.

(d) On such matters, which the Chairman thinks are of sufficient importance and urgency and cannot wait for being placed in the next meeting of the Governing Council, and which he anticipates would get the approval of the Council, the Chairman shall take decisions and place the same before the Governing Council at its next meeting.

(e) The Chairman shall be the sole and absolute authority to judge the validity of the votes cast by the members of the Governing Council and General Body.

(f) The Chairman may in writing delegate such of his powers as he may consider necessary to the Secretary.

(g) The Chairman shall be entitled to invite any other person to attend the meeting of the Governing Council but such person shall not have power to vote.

(h) The Chairman shall have the authority to review periodically the work and progress of the Society and to order inquiries into the affairs of the Society and to pass necessary orders on the recommendations of the Inquiry Committee.

(i) The Chairman shall plan, direct and coordinate the overall working of the Society.

The Member-Secretary

52. (a) The Secretary shall be the Chief Executive Officer of the Society.

(b) The Secretary shall be Member-Secretary to the Society as well as the Governing Council and shall, in consultation with, the Chairman prepare agenda for the meetings of the General Body and Governing Council, convene such meetings, keep a true and accurate record of the proceedings of the same and forward all such documents, papers and related information as may be required in the discharge of his duties.

(c) The Secretary shall be charged with the responsibility of day-to-day management and administration of the Society.

(d) The Secretary shall perform his duties and functions and exercise his powers under the overall direction, superintendence and control of the Chairman of the Governing Council under the Rules and Regulations of the Society.

53. In discharge of his functions, duties and powers, the Secretary, shall in particular do the following:—

(a) plan, direct, co-ordinate, organise and supervise day-to-day work of the Society;

(b) prepare concrete operational plan of action for the year together with the revolving action plan for subsequent period of time to be determined by the Governing Council and budget estimates for the concerned period;

(c) report to the Governing Council on policy matters and achievements and delegate responsibilities to other officers, if required;

(d) present report of the Governing Council in the annual general meeting of the Society;

(e) determine operational targets, measures and methods to achieve such targets and implement them after the approval of Governing Council;

(f) submit annual budget of the succeeding year at least six months prior to the closing of the financial year and furnish the same to Government for getting funds from them, if any, after approval of Governing Council;

(g) submit audited statements of accounts of the preceding year not later than three months after the close of the financial year;

(h) submit all such other reports as may be required by the Governing Council or otherwise;

(i) report to the Governing Council on all capital and recurring expenditure;

(j) sanction and incur expenditure in accordance with the procedure laid down in the bye-laws framed for the purpose and within the authority as may be delegated by the Governing Council;

- (k) sign all deeds and documents for and on behalf of the Society;
- (l) sign all documents and proceedings requiring authentication by the Society;
- (m) with the approval of the Governing Council delegate any of his powers and functions and duties to any member the staff of the Society/ITI which are not inconsistent with the provisions of these rules; and
- (n) do all such things as may be required for day-to-day management and administration of the Society.

Funds of the Society

54. The funds of the Society shall consist of the following:

- (i) Interest free loan received from the Central Government under the Scheme “Upgradation of 1396 Government ITIs through public private partnership”;
- (ii) Income from investments and savings;
- (iii) Receipts by way of fees and charges for any short-term or long-term training courses run by the Society in the ITI;
- (iv) Income earned by running production/service centres by the Society in the ITI.
- (v) Charges for consultancy services provided by the ITI;
- (vi) Grants, contributions, and donations received by the Society from Government of India, State Governments, Public Undertakings, private parties or any other sources;
- (vii) Extra charges allowed to be collected by the State Government to the Society for any paid seats in the ITI for any training course.

55. (a) The bankers of the Society shall be the bank as may be decided by the Governing Council and prescribed by the Central Government in the instructions issued from time to time.

(b) All funds shall be paid into accounts of the Society which shall be operated upon by such officer(s) as may be duly authorised by the Governing Council.

56. Subject to the relevant provisions of the Act, and with the approval of Governing Council, any portion of the funds of the Society, not immediately required, may be invested or deposited.

(i) In a special account opened by the Society for the purpose in a banking company as defined in the Banking (Regulation) Act, 1949 (Central Act 10 of 1949) and prescribed by the Central Government.

(ii) In any other mode permitted by the Central Government in its instructions issued from time to time.

Property of the Society

57. All funds and assets transferred to the Society shall be at the disposal of the Society.

58. All the properties of the Society shall be acquired and registered in the name of the Society.

59. All funds and properties of the Society shall be used only for the aims and objects of the Society.

60. No property of the Society shall be disposed of except on the recommendations of the Governing Council. Disposal of any immovable property shall be approved by the Society as well.

Accounts and Audit

61. (a) The Society shall maintain proper accounts and other relevant records and prepare annual statements of accounts for each of the financial year ending 31st March in such form as may be prescribed by the auditors appointed by the Society.

(b) The audited accounts of the Society shall be placed before General Body within six months from the date of closing of financial year for approval and the reports shall be filed with the Registrar within three months from the date of conducting the General Body of the Society.

62. Books of accounts of the Society shall be kept at the Registered Office of the Society and shall be open to inspection of any member free of charge during the business hours.

63. The accounts of the Society shall be audited annually by auditors and any expenditure incurred in connection with the audit of accounts of the Society shall be payable by the Society.

64. The audited statements of accounts together with the Audit Report shall be placed before the Governing Council for consideration and approval and thereafter the same shall be placed before the General Body for approval.

65. The Central Government shall have the right to demand production of books, accounts, connected vouchers and other document of the Society relating to any accounting year.

66. Every member of the Society on an application made and payment of prescribed fees shall be entitled to receive a copy of the bye-laws, balance sheet and receipts and expenditure account.

Annual Report

67. (a) A draft of Annual report and the yearly accounts of the Society shall be prepared by the Secretary for consideration and approval of the Governing Council and shall thereafter be placed before the General Body at its Annual General Meeting for consideration and adoption.

(b) Copies thereof as finally approved by the Society shall be supplied to the members of the Society.

(c) The books and registers of the Society shall be kept ready for inspection by the Registrar at all reasonable hours.

Alteration of the aims and objects of the Society and the Rules and Regulations

68. Whenever it appears to the Governing Council that it is advisable to alter, extend or abridge the aims and objects of the Society either wholly or partially, the Governing Council may take necessary action in accordance with the provisions of section 12 of the Act with the prior approval of the State Government.

Amalgamation with other Societies

69. If in the opinion of the Governing Council it is desirable to amalgamate the Society either wholly or partially with any other Society having similar aims and objects, it can be done as per provision of section 12 of the Act and with the prior consent of the Registrar and the Government.

Seal of the Society

70. The Governing Council of the Society shall provide a seal and also its safe custody and the seal shall never be used except with the authority of Governing Council previously given and one member of the Council shall sign every instrument to which the seal is affixed and every such instrument shall be countersigned by the Secretary or by some other person appointed by the Council.

Dissolution of the Society

71. The Society shall not be dissolved without the consent of the State Government and upon such dissolution, the assets of the Society shall be dealt with in accordance with the provisions contained in the Societies Registration Act as applicable to the Union territory of Puducherry.

Submission of Annual List

72. Once in every year a list of members shall be filed with the Registrar of Societies as per provisions of section 4 of the Societies Registration Act, 1860.

Legal Proceedings

73. The Society may sue or may be sued in the name of the Chairman or the Secretary of the Society as per provisions laid down under in section 6 of the Societies Registration Act, 1860.

Applicability of Clause

74. All the provisions of the Societies Registration Act, 1860 (Central Act 21 of 1860) shall apply to this Society.

Powers of the Government

75. (a) The Central Government shall have the following powers in the conduct of the affairs of the Society:-

- (i) to issue instructions for bringing about any changes in the Memorandum of Association and Rules and Regulations of the Society;
- (ii) to call for such reports, documents and papers with respect to the activities of the Society as may be required from time to time; and
- (iii) to issue instructions regarding the utilisation of the funds of the Society.

(b) The Government of Puducherry shall have the following powers in the conduct of the affairs of the Society:-

- (i) To give directions as to the exercise of powers and performance of functions of the Society in matters involving substantial public interest, education and training policies; and

(ii) To evaluate from time to time the relevance, effectiveness, impact and efficiency of the Society in fulfilling its aims and objectives.

(c) The above-mentioned powers will be exercised only on the recommendations of the NSC/SSC.

Restrictions of the powers of the Society

76. The Society shall be precluded from making amend merits varying or rescinding such Rules and Regulations and bye-laws which provide for the prior approval of the Central Government or the Government of Puducherry for doing or performing any act by the Society.

General

77. The Society shall function notwithstanding that any person who is entitled to be a member by reason of his office is not a member of the Society and notwithstanding any other vacancy in its body whether by non-appointment or otherwise and no act or proceedings of the Society or its Governing Council shall be deemed to be invalid merely for the reasons of any vacancy or defect in the constitution of the General Body, Governing Council or Committee as the case may be.

Certified that this is the correct copy of the rules and regulations of the Society.

Witnesses:

**Members
Governing Council.**

ANNEXURE—I

**GOVERNING COUNCIL OF THE INSTITUTE MANAGEMENT COMMITTEE
OF NETHAJI SUBASH CHANDRA BOSE GOVERNMENT
INDUSTRIAL TRAINING INSTITUTE, YANAM**

Representative from Industry Partner

1. Sri K. Subbi Reddy, Managing Director, Sri Yanam . . Chairman
Steels Private Limited, Adivipolam, Yanam.

2-5 - Four members from local industry nominated by industrial partner

2. Sri C.V. Rama Rao, Director, High Tech. . . Vice-Chairman
Engineering Private Limited, Mettacur, Yanam.
3. Smt. P. Uma Maheswari, Managing Director, . . Member
Uma Industries, Anyam Gardens, Yanam.
4. Sri G. Arjuna Babu, Personnel Officer, . . Member
Somkan Marine Foods Limited, Adivipolam, Yanam.
5. Sri V. Satyanarayana, Manager, . . Member
Vasavi Synthetics Limited, Adivipolam, Yanam.

6-10 - Five members nominated by State Government

6. The Assistant Employment Officer, . . Member
Town Employment Exchange, Yanam.

Representative of the State Directorate dealing with ITIs

7. The Assistant Director (E & T), . . Member
Labour Department, Puducherry.

One expert from Local Academic Circle

8. The Principal, Dr. B.R. Ambedkar Government . . Member
Polytechnic, Yanam.

One Senior faculty member of ITI

9. Sri Lanka Chandra Rao, Vocational Instructor, . . Member
Nethaji Subash Chandra Bose Government
Industrial Training Institute, Yanam.

One Student Representative of ITI

10. Trainee, Nethaji Subash Chandra Bose Government . . Member
Industrial Training Institute, Yanam.
11. The Principal, Nethaji Subash Chandra Bose . . Member-Secretary.
Government Industrial Training Institute, Yanam.

6. Signatures of the Memorandum of Association:

We, the several persons whose names and addresses are given below having associated for the purpose described in this Memorandum of Association and set on our several respective hands hereunto and form ourselves into a Society under the Societies Registration Act, 1860 this the.....day of2011.

Sl. No. (1)	Name, address and occupation of the members (2)	Designation in the Association (3)	Signature of the member (4)
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Representative from Industry Partner

1.	Sri. K. Subbi Reddy, Managing Director, Sri Yanam Steels Private Limited, Adivipolam, Yanam.	Chairman	
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2-5 - Four members from local industry nominated by industrial partner

2.	Sri. C.V. Rama Rao, Director, High Tech. Engineering Private Limited, Mettacur, Yanam.	Vice-Chairman	
3.	Smt. P. Uma Maheswari, Managing Director, Uma Industries, Anyam Gardens, Yanam.	Member	
4.	Sri. G. Arjuna Babu, Personnel Officer, Somkan Marine Foods Limited, Adivipolam, Yanam.	Member	
5.	Sri V. Satyanarayana, Manager, Vasavi Synthetics Limited, Adivipolam Yanam.	Member	

6-10 - Five members nominated by State Government

6.	The Assistant Employment Officer, Town Employment Exchange, Yanam.	Member	
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Representative of the State Directorate dealing with ITIs

7.	The Assistant Director (E & T), Labour Department, Puducherry.	Member	
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One expert from Local Academic Circle

8.	The Principal, Dr. B. R. Ambedkar Government Polytechnic, Yanam.	Member	
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One Senior faculty member of ITI

9.	Sri Lanka Chandra Rao, Vocational Instructor, Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam.	Member	
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One student representative of ITI

10.	Trainee, Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam.	Member	
11.	The Principal, Nethaji Subash Chandra Bose Government Industrial Training Institute, Yanam.	Member- Secretary.	

online publication at "<http://styandptg.puducherry.gov.in>"

Government Central Press
Directorate of Stationery and Printing
Puducherry-9